



U.S. Department
of Transportation
**Research and
Special Programs
Administration**

400 Seventh St., S.W.
Washington, D.C. 20590

DEC 12 2003

DOT-E 11220
(SEVENTH REVISION)

EXPIRATION DATE: November 30, 2005

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Nalco Company
(Former Grantee: ONDEO Nalco Company)
Naperville, Illinois

(See Appendix A of this exemption for a list of additional grantees)

2. PURPOSE AND LIMITATION:

a. This exemption authorizes the refilling and reuse of certain packagings, described in paragraph 7 below, which have not been subjected to the leakproofness test in accordance with § 173.28(b)(2). This exemption provides no relief from any Hazardous Materials Regulations (HMR) other than as specifically stated herein.

b. The safety analyses performed in development of this exemption only considered the hazards and risks associated with transportation in commerce.

3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 172.301(c), and § 173.28(b)(2), except as specified herein.
5. BASIS: This exemption is based on the application of Nalco Company dated November 24, 2003, submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous materials description/proper shipping name	Hazard Class/ Division	Identification number	Packing Group
Liquid hazardous materials authorized by § 172.101 and Part 173 to be shipped in steel single packagings or composite packagings with a steel outer packaging.	Class 3, Division 5.1, Division 6.1, Class 8, and Class 9, as appropriate	As appropriate	As appropriate

7. SAFETY CONTROL MEASURES:

a. PACKAGING - UN Standard 1A1, 1A2, 3A1, and 3A2 drums and jerricans, and composite packagings 6HA1 and 6PA1, constructed of stainless steel with a thickness not less than 1.5 times the minimum thickness prescribed in § 173.28(b)(4) (not including the footnote to the table). A packaging meeting this minimum construction criterion, otherwise authorized for reuse (see § 173.28), may be refilled and reused without being subjected to the leakproofness test with air provided the packaging:

(1). Is refilled with the same or similar compatible contents; and

(2). Is offered for transportation or transported by private carrier, contract carrier, or by a common carrier in a transport vehicle or freight container under exclusive use to the Nalco Company for such service, within distribution chains controlled by the Nalco Company.

b. TESTING - As appropriate for the standard and performance level to which the packaging is marked.

c. MARKING - Packagings meeting the requirements of this exemption are not subject to the exemption number marking requirements in § 172.301(c).

8. SPECIAL PROVISIONS:

a. A person who is not a holder of this exemption who receives a package covered by this exemption may reoffer it for transportation provided no modifications or changes are made to the package and it is reoffered for transportation in conformance with this exemption and the HMR.

b. A current copy of this exemption must be maintained at each facility where the package is offered or reoffered for transportation.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, rail freight, and cargo vessel.

10. MODAL REQUIREMENT: A current copy of this exemption must be carried aboard each cargo vessel used to transport packages covered by this exemption.

11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this exemption and penalties prescribed by the Federal hazardous materials transportation laws.

- o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.

- o Registration required by § 107.601 et seq., when applicable.

Each "hazmat employee", as defined in § 171.8, who performs a function subject to this exemption must receive training on the requirements and conditions of this exemption in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this exemption, including display of its number, when the exemption has expired or is otherwise no longer in effect.

12. REPORTING REQUIREMENTS: The carrier is required to report any incident involving loss of packaging contents or packaging failure to the Associate Administrator for Hazardous Materials Safety (AAHMS) as soon as practicable. (Sections 171.15 and 171.16 apply to any activity undertaken under the authority of this exemption.) In addition, the holder(s) of this exemption must inform the AAHMS, in writing, of any incidents involving the package and shipments made under the terms of this exemption.

Issued in Washington, D.C.:



fu Robert A. McGuire
Associate Administrator
for Hazardous Materials Safety

DEC 12 2003

(DATE)

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration, Department of Transportation, Washington, D.C. 20590.
Attention: DHM-31.

Copies of this exemption may be obtained by accessing the Hazardous Materials Safety Homepage at <http://hazmat.dot.gov/exemptions> Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

PO: AM

AUG 24 2004

The following are hereby granted party status to this exemption based on their application(s) submitted in accordance with § 107.107 or § 107.109, as appropriate:

Company Name City/State	Application Date	Issue Date	Expiration Date
Cerexagri, Inc. King of Prussia, PA	Aug 9, 2004	AUG 24 2004	Nov 30, 2005
Emerald Petroleum Services Seattle, WA	Dec 31, 2003	Mar 22, 2004	Nov 30, 2005
Hydrite Chemical Co. Brookfield, WI	Apr 13, 2004	Jun 29, 2004	Nov 30, 2005
Lynx Chemical Group, LLC Smyrna, GA	Nov 20, 2003	Dec 01, 2003	Nov 30, 2005
Nalco Energy Services, L.P. (form. ONDEO Nalco) Naperville, IL	Nov 24, 2003	Dec 12, 2003	Nov 30, 2005
Producers Chemical Company Batavia, IL	Apr 8, 2004	Jun 29, 2004	Nov 30, 2005
The Dow Chemical Company Midland, MI	Nov 19, 2003	Dec 01, 2003	Nov 30, 2005
Union Carbide Corporation Midland, MI	Nov 19, 2003	Dec 01, 2003	Nov 30, 2005



Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

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